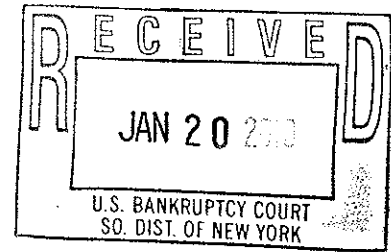


FRANK H. WOLF
650 PARK AVENUE
NEW YORK, NEW YORK 10021⁶⁵

October 27, 2009

The Honorable Judge Burton R. Lifland
c/o Clerk of the U.S. Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York NY 10004



RE: Bankruptcy Case #08-1789 (BRL)
BLMIS Account # 1W0082-3-0
Frank H. Wolf & Roberta Wolf J/T WROS
Customer Designated Claim Nos. 001337
and 001329

Your Honor,

We disagree with the Trustee's determination on the above referenced matter.

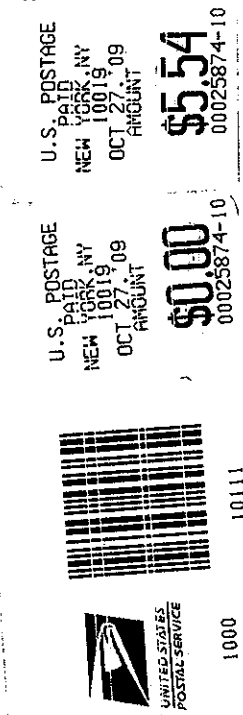
Between 1992 and 2002 we paid Federal, State and City income taxes of approximately \$518,000.00 on reported income from BLMIS between \$1,100,000.00 and \$1,200,000.00. It is our position these taxes represent an additional principle investment in BLMIS and the Trustee should take this into consideration for the SIPC reimbursement formula. Upon the Court's request we will provide the tax returns for this period.

In addition, on June 7th, 2007, \$1,605,857.06 was transferred from the above referenced account to account #1-W0132-3-0 in the name of my wife, Roberta Wolf. This transfer was strictly for estate planning purposes. The transferred funds were never withdrawn for BLMIS nor funds, principal or otherwise, from any other investor. We do not believe that the Trustee had a basis for determining that principal was transferred as opposed to phantom income, which is what we now understand is what was available for transfer.

Respectfully,

cc: Irving H. Picard, Trustee

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Irving H. Picard
c/o Baker & Hostetler LLP
45 Rockefeller Plaza
New York NY

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